



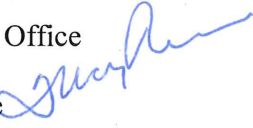
CITY OF  
**PORTLAND, OREGON**  
OFFICE OF THE CITY ATTORNEY

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March 27, 2017

INTEROFFICE MEMORANDUM

TO: City Budget Office

FROM: Tracy Reeve   
City Attorney

SUBJECT: FY2016-17 Spring Budget Monitoring Process

Attached is the FY2016-17 Spring Budget Monitoring Report for the Office of the City Attorney. This report provides a current year forecast and several budget amendment requests.

In summary, the office is expected to spend 98% of its FY 2016-17 budget. The office will have some vacancy savings this year due to retirements and delays in hiring and will not require Compensation Set Aside funds.

The first budget amendment request adjusts the interagency agreement with the Police Bureau. In fall, PPB increased its interagency agreement with the office to fund temporary legal staff to support PPB policy development and training. The office planned to hire one attorney and one paralegal to address legal requirements related to the USDOJ Settlement Agreement. The office is able to handle the work without an additional paralegal. This request returns the additional budgeted funds to PPB.

The next request is to carryover \$200,000 in vacancy savings to begin a software technology replacement fund for the office. The office has resources to pay annual maintenance fees for its software programs, but on occasion, implementation costs add significant amounts that the office cannot fund within one budget year. With the increasing frequency of technological advances, the need for upgrading and replacing software on a more frequent basis will increase. Like the hardware replacement fund the office uses to replace computers, the office would benefit from a software replacement fund to pay costs of new software implementation and upgrades when needed. The office currently is in need of replacing three outdated systems and needs to start preparing for implementation costs now.

The next request is to carry over \$108,001 to the FY17-18 budget for expenses related to the Portland Harbor Natural Resource Trustees Participation Agreement. The funds authorized by Ordinance No. 186810 will not be required until next fiscal year.

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The next request is to carryover \$89,000 for contracting with BOLI for Removal of Barriers to Employment. To date, the office has paid just under \$1,000 to BOLI for responding to inquiries and complaints, creating and distributing materials, and conducting seminars that include information on the City's ordinance. The office requests carryover of the remaining funds to continue training and provide for the processing of investigations by the Civil Rights Division.

The final budget amendment request is a technical adjustment to transfer \$80,000 from Personnel Services to Internal Materials and Services to cover expenses for additional copy services, technology services and conference room improvements.

Thank you for your consideration.

TPR/ccj

Encls.

**CBO Discussion and Recommendations  
FY 2016-17 Spring BMP**

**Bureau:** Office of the City Attorney

**Type:** New Request

**Request:** AT\_003 - PPB IA Adjustment

	Spring BMP Requested Adjustments	Spring BMP CBO/Council Changes	Spring BMP Total Adjustments
<b>EXPENDITURES</b>			
Personnel Services	(171,302)	0	(171,302)
<b>TOTAL EXPENDITURES</b>	<b>(171,302)</b>	<b>0</b>	<b>(171,302)</b>
<b>REVENUES</b>			
Interagency Revenue	(171,302)	0	(171,302)
<b>TOTAL REVENUES</b>	<b>(171,302)</b>	<b>0</b>	<b>(171,302)</b>

**Bureau Description:**

Adjust Interagency funding for staff to support Portland Police Bureau (PPB) policy development and training. PPB and the City Attorney's office made budget adjustments in fall to address legal staffing needs related to the DOJ Settlement Agreement. The Police Bureau provided interagency funding to the City Attorney's Office for an additional 1.0 FTE Attorney and 1.0 FTE Paralegal and related expenses. To date, the City Attorney's Office has been able to provide the necessary legal services related to implementation without the additional paralegal and related expenses. This adjustment returns the funding that will not be needed this fiscal year.

**CBO Discussion and Recommendation**

**CBO Discussion and Recommendations  
FY 2016-17 Spring BMP**

**Bureau:** Office of the City Attorney

**Type:** Program Carryover Request

**Request:** AT\_004 - Technology Fund Carryover

	Spring BMP Requested Adjustments	Spring BMP CBO/Council Changes	Spring BMP Total Adjustments
<b>EXPENDITURES</b>			
Personnel Services	(200,000)	0	(200,000)
<b>TOTAL EXPENDITURES</b>	<b>(200,000)</b>	<b>0</b>	<b>(200,000)</b>
<b>REVENUES</b>			
General Fund Discretionary	(200,000)	0	(200,000)
<b>TOTAL REVENUES</b>	<b>(200,000)</b>	<b>0</b>	<b>(200,000)</b>

**Bureau Description:**

This request will carryover \$200,000 in vacancy savings to begin a software technology replacement fund for the office. The office currently uses several key software programs to assist with litigation, trial presentation and matter management. Two of these programs are unsupported and failing and the third has become obsolete in part due to the City's implementation of Office 365. The office has been searching for cost-efficient replacements for these systems. The office has resources to pay annual maintenance fees for the programs it uses, but implementation costs add a significant amount at times and the office cannot fund those costs within one budget year. With the increasing frequency of technological changes and advances, the need for upgrading and replacing software on a more frequent basis is also increasing. Like the hardware replacement fund the office participates in, the office would benefit from a software replacement fund to help pay for the costs of new software implementation and upgrades as needed.

**CBO Discussion and Recommendation**

**CBO Discussion and Recommendations  
FY 2016-17 Spring BMP**

**Bureau:** Office of the City Attorney

**Type:** Program Carryover Request

**Request:** AT\_005 - Portland Harbor Carryover

	Spring BMP Requested Adjustments	Spring BMP CBO/Council Changes	Spring BMP Total Adjustments
<b>EXPENDITURES</b>			
External Materials and Services	(108,001)	0	(108,001)
<b>TOTAL EXPENDITURES</b>	<b>(108,001)</b>	<b>0</b>	<b>(108,001)</b>
<b>REVENUES</b>			
General Fund Discretionary	(108,001)	0	(108,001)
<b>TOTAL REVENUES</b>	<b>(108,001)</b>	<b>0</b>	<b>(108,001)</b>

**Bureau Description:**

This request is to carryover \$108,001 to the FY17-18 budget for expenses related to the Portland Harbor Natural Resource Trustees Participation Agreement. City Council authorized the City's participation in funding the Portland Harbor Natural Resource Damage Assessment Plan to resolve liability before a Record of Decision is issued for the Portland Harbor Superfund Site. The Council authorized \$400,000 by Ordinance No. 186810. To date \$291,999 has been spent and the remaining \$108,001 will not be required until next fiscal year.

**CBO Discussion and Recommendation**

**CBO Discussion and Recommendations  
FY 2016-17 Spring BMP**

**Bureau:** Office of the City Attorney

**Type:** Program Carryover Request

**Request:** AT\_006 - Barriers to Employment Carryover

	Spring BMP Requested Adjustments	Spring BMP CBO/Council Changes	Spring BMP Total Adjustments
<b>EXPENDITURES</b>			
External Materials and Services	(89,000)	0	(89,000)
<b>TOTAL EXPENDITURES</b>	<b>(89,000)</b>	<b>0</b>	<b>(89,000)</b>
<b>REVENUES</b>			
General Fund Discretionary	(89,000)	0	(89,000)
<b>TOTAL REVENUES</b>	<b>(89,000)</b>	<b>0</b>	<b>(89,000)</b>

**Bureau Description:**

This request is to carryover \$89,000 for contracting with BOLI for Removal of Barriers to Employment. \$90,000 was added to the City Attorney's Office FY16-17 budget for outreach and education to the public, to contract with agencies who provide services to returning citizens, and to contract with BOLI for enforcement of the City's ordinance. The office has contracted with BOLI to provide administrative enforcement of complaints for violations of Portland City Code Chapter 23 .10 and to implement administrative regulations addressing the removal of barriers to employment. To date, the office has paid just under \$1,000 to BOLI for responding to inquiries and complaints, creating and distributing materials, and conducting seminars that include information on the City's ordinance. The office requests carryover of the remaining funds to continue training and provide for the processing of investigations by the Civil Rights Division.

**CBO Discussion and Recommendation**

**CBO Discussion and Recommendations  
FY 2016-17 Spring BMP**

**Bureau:** Office of the City Attorney

**Type:** Technical Adjustment

**Request:** AT\_007 - Technical Adjustments

	Spring BMP Requested Adjustments	Spring BMP CBO/Council Changes	Spring BMP Total Adjustments
<b>EXPENDITURES</b>			
Personnel Services	(80,000)	0	(80,000)
External Materials and Services	0	0	0
Internal Materials and Services	80,000	0	80,000
<b>TOTAL EXPENDITURES</b>	<b>0</b>	<b>0</b>	<b>0</b>

**Bureau Description:**

This technical adjustment will transfer funds from Personnel Services to Internal Materials and Services. The office had some vacancy savings that will be used to cover expenses for additional copy services, technology services and conference room improvements.

**CBO Discussion and Recommendation**

## Business Area Projection Report

	Spring BMP Revised Budget	FY 2016-17 YTD Actuals Thru AP8	Spring BMP Year-End Projection	% of Projected Actuals to Revised Bud
<b>Office of the City Attorney</b>				
<b>EXPENDITURES</b>				
Personnel Services	\$10,255,677	\$6,509,612	\$10,084,893	98%
External Materials and Services	\$677,756	\$400,238	\$584,348	86%
Internal Materials and Services	\$1,163,216	\$730,668	\$1,146,878	99%
<b>TOTAL EXPENDITURES</b>	<b>\$12,096,649</b>	<b>\$7,640,518</b>	<b>\$11,816,119</b>	<b>98%</b>
<b>REVENUES</b>				
Charges for Services	\$106,000	\$180,161	\$180,000	170%
Interagency Revenue	\$5,826,189	\$3,851,883	\$5,826,189	100%
General Fund Discretionary	\$2,640,181	\$0	\$2,285,651	87%
General Fund Overhead	\$3,524,279	\$0	\$3,524,279	100%
<b>TOTAL REVENUES</b>	<b>\$12,096,649</b>	<b>\$4,032,044</b>	<b>\$11,816,119</b>	<b>98%</b>

### Bureau Projection Narrative

The office is expected to spend 98% of its FY 2016-17 budget. The office had some short-term vacancies this year due to retirements and delays in hiring. Internal and external materials and services expenses are as expected and within budget. Revenues are as anticipated with one exception; legal services fees for civil forfeitures fluctuate and will be higher than originally estimated.